

C&P Tells Court of Wiretaps

By Timothy S. Robinson

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The Chesapeake and Potomac Telephone Co.'s 36-year policy of assisting the FBI in national security wiretaps has been "strictly limited and purely technical," the firm's attorneys said in court papers filed yesterday.

The description of the telephone company's role in the wiretap program was part of a vigorous defense filed in a lawsuit growing out of the overhearings of free-lance writer Tad Szulc and his wife on so-called national security surveillances. The telephone company and numerous past and present government officials are defendants in the suit.

C&P said its cooperation with the FBI in the tap program was the type that should normally be encouraged, and that it has relied on the good faith of the government to operate the tap program legally.

Affidavits by past and present company officials outlined the procedures by which the FBI asks the telephone company for assistance in national security cases.

The company officials said only designated FBI agents can request such assistance, and that it must be approved by the Attorney General.

The telephone company said it gets no names, but only the number or the location of the telephone.

In defending its policy of not double-checking the numbers or trying to find out additional information from the FBI, the company said that would amount to second-guessing the bureau's national security investigations.

"... C&P was obviously in no position to demand or to undertake itself an independent evaluation of the legitimacy of such requests,

which are based upon very sensitive and closely held information in the executive branch of government," the firm's attorneys argued.

The company said it has never provided any recording or eavesdropping device to the FBI, but merely makes connections on its own equipment and routes it to an FBI line.

"Indeed, neither I, nor to my knowledge anyone else in the company, knew whether the facilities we provided to the FBI were ever used, that is, whether any conversations were ever heard or attempted to be heard by the FBI," said ex-C&P official Horace Hampton.

The government has conceded that Marianne Szulc was overheard on a wiretap installed with C&P's assistance. The overhearing of Tad Szulc also has been admitted by the government, but the details of that overhearing have not been made public.

C&P said it has been aiding the government in national security wiretaps since May, 1940.